



[4910-13-P]

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 39**

**[Docket No. FAA-2012-0334; Directorate Identifier 2012-NM-001-AD; Amendment 39-17024; AD 2012-08-07]**

**RIN 2120-AA64**

**Airworthiness Directives;** Sicma Aero Seat Passenger Seat Assemblies, Installed on, but not Limited to, ATR – GIE Avions de Transport Régional Airplanes

**AGENCY:** Federal Aviation Administration (FAA), Department of Transportation (DOT).

**ACTION:** Final rule; request for comments.

**SUMMARY:** We are superseding an existing airworthiness directive (AD) for certain Sicma Aero Seat Model 9401, 9402, 9404, 9505, 9406, 9407, 9408, and 9409 series passenger seat assemblies, installed on, but not limited to, ATR – GIE Avions de Transport Régional Model ATR42 and ATR72 airplanes. That AD currently requires repetitive detailed inspections for cracking of the central and lateral spreaders of the affected seats, and repair or replacement of the spreader if necessary. This AD was prompted by a determination that the existing AD included Model 9505 series passenger seat assemblies in the applicability instead of Model 9405 series passenger seat assemblies. We are issuing this AD to detect and correct cracking of the central and lateral spreaders, which could lead to further cracking of the seat spreaders, causing

injury to passengers or crew members during heavy turbulence in flight or in the event of an emergency landing.

**DATES:** This AD becomes effective [INSERT DATE 15 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of November 21, 2011 (76 FR 68304, November 4, 2011).

We must receive comments on this AD by [INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**ADDRESSES:** You may send comments by any of the following methods:

- Federal eRulemaking Portal: Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.
- Fax: (202) 493-2251.
- Mail: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.
- Hand Delivery: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

## **Examining the AD Docket**

You may examine the AD docket on the Internet at <http://www.regulations.gov>; or in person at the Docket Operations office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone (800) 647-5527) is in the ADDRESSES section. Comments will be available in the AD docket shortly after receipt.

**FOR FURTHER INFORMATION CONTACT:** Jeffrey Lee, Aerospace Engineer, Boston Aircraft Certification Office, FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; telephone (781) 238-7161; fax (781) 238-7170; e-mail: [jeffrey.lee@faa.gov](mailto:jeffrey.lee@faa.gov).

## **SUPPLEMENTARY INFORMATION:**

On October 20, 2011, we issued AD 2011-23-06, Amendment 39-16857 (76 FR 68304, November 4, 2011). That AD required actions intended to address an unsafe condition on Sicma Aero Seat Model 9401, 9402, 9404, 9505, 9406, 9407, 9408, and 9409 series passenger seat assemblies, installed on, but not limited to, ATR – GIE Avions de Transport Régional Model ATR42 and ATR72 airplanes.

Since we issued AD 2011-23-06, Amendment 39-16857 (76 FR 68304, November 4, 2011), we have determined that the applicability of that AD included Model 9505 series passenger seat assemblies in the applicability instead of Model 9405 series passenger seat assemblies. We have revised the applicability of this AD accordingly and

added new paragraph (h) for Sicma Aero Seat Model 9405 series passenger seat assemblies.

#### **Change to Existing AD**

Since we issued AD 2011-23-06, Amendment 39-16857 (76 FR 68304, November 4, 2011), the AD format has been revised, and certain paragraphs have been rearranged. As a result, the corresponding paragraph identifiers have changed in this AD, as listed in the following table:

**Revised paragraph identifiers**

<b>Requirement in AD 2011-23-06, Amendment 39-16857 (76 FR 68304, November 4, 2011)</b>	<b>Corresponding requirement in this AD</b>
paragraph (c)	paragraph (c)(1)
Note 1	Paragraph (c)(2)
paragraph (h)	paragraph (i)
paragraph (i)	paragraph (j)
paragraph (j)	paragraph (k)

#### **FAA's Determination and Requirements of this AD**

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are issuing this AD because we evaluated all pertinent information and determined the unsafe condition exists and is likely to exist or develop on other products of the same type design.

There are no products of this type currently registered in the United States.

However, this rule is necessary to ensure that the described unsafe condition is addressed

if any of these products are placed on the U.S. Register in the future.

### **FAA’s Determination of the Effective Date**

Since there are currently no domestic operators of this product, notice and opportunity for public comment before issuing this AD are unnecessary.

### **Comments Invited**

This AD is a final rule that involves requirements affecting flight safety, and we did not precede it by notice and opportunity for public comment. We invite you to send any written relevant data, views, or arguments about this AD. Send your comments to an address listed under the ADDRESSES section. Include “Docket No. FAA-2012-0334; Directorate Identifier 2012-NM-001-AD” at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this AD. We will consider all comments received by the closing date and may amend this AD because of those comments.

We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this AD.

### **Authority for This Rulemaking**

Title 49 of the United States Code specifies the FAA’s authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. “Subtitle VII: Aviation Programs,” describes in more detail the scope of the Agency’s authority.

We are issuing this rulemaking under the authority described in “Subtitle VII,

Part A, Subpart III, Section 44701: General requirements.” Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

### **Regulatory Findings**

We determined that this AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that this AD:

1. Is not a “significant regulatory action” under Executive Order 12866;
2. Is not a “significant rule” under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979);
3. Will not affect intrastate aviation in Alaska; and
4. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

We prepared a regulatory evaluation of the estimated costs to comply with this AD and placed it in the AD docket.

### **List of Subjects in 14 CFR Part 39**

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

## **Adoption of the Amendment**

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

### **PART 39 - AIRWORTHINESS DIRECTIVES**

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

#### **§ 39.13 [Amended]**

2. The FAA amends § 39.13 by removing airworthiness directive (AD) 2011-23-06, Amendment 39-16857 (76 FR 68304, November 4, 2011), and adding the following new AD:

**2012-08-07 Sicma Aero Seat:** Amendment 39-17024. Docket No. FAA-2012-0334; Directorate Identifier 2012-NM-001-AD.

#### **(a) Effective Date**

This airworthiness directive (AD) becomes effective [INSERT DATE 15 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

#### **(b) Affected ADs**

This AD supersedes AD 2011-23-06, Amendment 39-16857 (76 FR 68304, November 4, 2011).

#### **(c) Applicability**

(1) This AD applies to Sicma Aero Seat Model 9401, 9402, 9404, 9405, 9406, 9407, 9408, and 9409 series passenger seat assemblies, all part numbers, except front row and aft facing seats, and those modified to “Amendment B” standard. These passenger

seat assemblies are installed on, but not limited to, ATR – GIE Avions de Transport Régional Model ATR42-200, -300, -320, and -500 airplanes and Model ATR72-101, -201, -102, -202, -211, -212, and -212A airplanes.

(2) This AD applies to Sicma Aero Seat passenger seat assemblies as installed on any airplane, regardless of whether the airplane has been otherwise modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance (AMOC) according to paragraph (l)(1) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

**(d) Subject**

Air Transport Association (ATA) of America Code 25: Equipment/Furnishings.

**(e) Reason**

This AD was prompted by reports of cracked central and lateral spreaders on passenger seats assemblies. We are issuing this AD to detect and correct cracking of the central and lateral spreaders, which could lead to further cracking of the seat spreaders, causing injury to passengers or crew members during heavy turbulence in flight or in the event of an emergency landing.

**(f) Compliance**

You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

**(g) Retained Repetitive Inspections, Repair, and Replacement**

This paragraph restates the actions required by paragraph (g) of AD 2011-23-06, Amendment 39-16857 (76 FR 68304, November 4, 2011). For Sicma Aero Seat Model 9401, 9402, 9404, 9406, 9407, 9408, and 9409 series passenger seat assemblies: Within 6 months after November 21, 2011 (the effective date of AD 2011-23-06), perform a detailed inspection for cracking of the central and lateral spreaders of the affected seats, in accordance with paragraph 2/A1., “Checking procedures of lateral and central spreaders,” of the Accomplishment Instructions of Sicma Aero Seat Service Bulletin 94-25-013, Issue 4, dated February 12, 2008.

(1) If no cracking is found on any central spreader, repeat the detailed inspection thereafter at intervals not to exceed 550 flight hours until the replacement specified in paragraph (i) of this AD is done.

(2) If no cracking or only cracks that are shorter than 8 millimeters (mm) (0.315 inch) are found on any lateral spreader, repeat the detailed inspection thereafter at intervals not to exceed 550 flight hours until the replacement specified in paragraph (i) of this AD is done.

(3) If all cracks found on any central spreader are shorter than 8 mm (0.315 inch), before further flight, repair the affected spreader, in accordance with paragraphs 2/A through C2. of the Accomplishment Instructions of Sicma Aero Seat Service Bulletin 94-25-011, Revision 3, dated June 30, 2008. Within 550 flight hours after doing the

repair, do the detailed inspection specified in paragraph (g) of this AD, and repeat the inspection thereafter at intervals not to exceed 550 flight hours until the replacement specified in paragraph (i) of this AD is done.

(4) If one or more cracks are found that are 8 mm (0.315 inch) or longer on any lateral or central spreader, before further flight, replace the affected spreader, in accordance with paragraphs 2/A through D2. of the Accomplishment Instructions of Sicma Aero Seat Service Bulletin 94-25-012, Revision 1, dated June 26, 2008.

**(h) New Requirements: Repetitive Inspections, Repair, and Replacement for Model 9405 Series Passenger Seat Assemblies**

For Sicma Aero Seat Model 9405 series passenger seat assemblies: Within 6 months after the effective date of this AD, perform a detailed inspection for cracking of the central and lateral spreaders of the affected seats, in accordance with paragraph 2/A1., “Checking procedures of lateral and central spreaders,” of the Accomplishment Instructions of Sicma Aero Seat Service Bulletin 94-25-013, Issue 4, dated February 12, 2008.

(1) If no cracking is found on any central spreader, repeat the detailed inspection thereafter at intervals not to exceed 550 flight hours until the replacement specified in paragraph (i) of this AD is done.

(2) If no cracking or only cracks that are shorter than 8 mm (0.315 inch) are found on any lateral spreader, repeat the detailed inspection thereafter at intervals not to exceed 550 flight hours until the replacement specified in paragraph (i) of this AD is done.

(3) If all cracks found on any central spreader are shorter than 8 mm (0.315 inch), before further flight, repair the affected spreader, in accordance with paragraphs 2/A

through C2. of the Accomplishment Instructions of Sicma Aero Seat Service Bulletin 94-25-011, Revision 3, dated June 30, 2008. Within 550 flight hours after doing the repair, do the detailed inspection specified in paragraph (h) of this AD, and repeat the inspection thereafter at intervals not to exceed 550 flight hours until the replacement specified in paragraph (i) of this AD is done.

(4) If one or more cracks are found that are 8 mm (0.315 inch) or longer on any lateral or central spreader, before further flight, replace the affected spreader, in accordance with paragraphs 2/A through D2. of the Accomplishment Instructions of Sicma Aero Seat Service Bulletin 94-25-012, Revision 1, dated June 26, 2008.

**(i) Optional Terminating Action**

Replacing all central and lateral spreaders on an affected seat assembly (modifying to “Amendment B” standard), in accordance with paragraphs 2/A through D2. of the Accomplishment Instructions of Sicma Aero Seat Service Bulletin 94-25-012, Revision 1, dated June 26, 2008, terminates the inspections required by this AD for that seat assembly.

**(j) Credit for Previous Actions**

This paragraph provides credit for the actions required by this AD, if the actions were performed before the effective date of this AD using Sicma Aero Seat Service Bulletin 94-25-011, Issue 2, dated November 6, 2007; and Sicma Aero Seat Service Bulletin 94-25-012, dated September 25, 2007.

**(k) Parts Installation**

As of 6 months after the effective date of this AD, no person may install any passenger seat assembly identified in paragraph (c) of this AD, on any airplane, unless it has been modified to “Amendment B” standard in accordance with the Accomplishment Instructions of Sicma Aero Seat Service Bulletin 94-25-012, Revision 1, dated June 26, 2008.

**(l) Other FAA AD Provisions**

The following provisions also apply to this AD:

**(1) Alternative Methods of Compliance (AMOCs):** The Manager, Boston Aircraft Certification Office, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the ACO, send it to ATTN: Jeffrey Lee, Aerospace Engineer, Boston Aircraft Certification Office, FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; telephone (781) 238-7161; fax (781) 238-7170; e-mail; [jeffrey.lee@faa.gov](mailto:jeffrey.lee@faa.gov). Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office. The AMOC approval letter must specifically reference this AD.

**(2) Airworthy Product:** For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of

Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

**(m) Related Information**

Refer to Mandatory Continuing Airworthiness Information (MCAI) European Aviation Safety Agency AD 2008-0097, dated May 20, 2008; and the service information identified in paragraphs (m)(1), (m)(2), and (m)(3) of this AD; for related information.

(1) Sicma Aero Seat Service Bulletin 94-25-011, Revision 3, dated June 30, 2008.

(2) Sicma Aero Seat Service Bulletin 94-25-012, Revision 1, dated June 26, 2008.

(3) Sicma Aero Seat Service Bulletin 94-25-013, Issue 4, dated February 12, 2008.

**(n) Contact Information**

Contact Jeffrey Lee, Aerospace Engineer, Boston Aircraft Certification Office, FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; telephone (781) 238-7161; fax (781) 238-7170; e-mail; [jeffrey.lee@faa.gov](mailto:jeffrey.lee@faa.gov), for more information about this AD.

**(o) Material Incorporated by Reference**

(1) You must use the following service information to do the actions required by this AD, unless the AD specifies otherwise. If you accomplish the optional actions specified by this AD, you must use the service information specified in paragraph (o)(1)(ii) of this AD to perform those actions, unless the AD specifies otherwise. The Director of the Federal Register approved the incorporation by reference (IBR) of the following service information under 5 U.S.C. 552(a) and 1 CFR part 51 on November 21, 2011 (76 FR 68304, November 4, 2011):

(i) Sicma Aero Seat Service Bulletin 94-25-011, Revision 3, dated June 30, 2008.

(ii) Sicma Aero Seat Service Bulletin 94-25-012, Revision 1, dated June 26, 2008.

(iii) Sicma Aero Seat Service Bulletin 94-25-013, Issue 4, dated February 12, 2008.

(2) For service information identified in this AD, contact Sicma Aero Seat, 7 Rue Lucien Coupet, 36100 ISSOUDUN, France, telephone: +33 (0) 2 54 03 39 39; fax: +33 (0) 2 54 03 39 00; email [Customerservices.sas@zodiac aerospace.com](mailto:Customerservices.sas@zodiac aerospace.com); Internet <http://www.sicma.zodiac aerospace.com>.

(3) You may review copies of the service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington. For information on the availability of this material at the FAA, call 425-227-1221.

(4) You may also review copies of the service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at an NARA facility, call 202-741-6030, or go to [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).  
Issued in Renton, Washington, on April 9, 2012.

John P. Piccola,  
Acting Manager,  
Transport Airplane Directorate,  
Aircraft Certification Service.